IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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O R D E R

K.C. Sabastian

Vs

Mohanlal Sukhadia University & Anr.

S.B. CIVIL WRIT PETITION NO.199/1994 UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

DATE OF ORDER : 6.7.2006

PRESENT

HON'BLE MR.MOHAMMAD RAFIQ,J.

Mr.P. Bohra,for the petitioner.
Mr.Jagdish Vyas, for the respondents.

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BY THE COURT: -

I have heard learned counsel for the petitioner as well as learned counsel for the respondents.

In this writ petition, the petitioner has prayed for writ of mandamus from the respondents requiring them by adjudging his candidature for regular appointment on the post of Lecturer (Assistant Professor in Physics) from the date of his initial appointment, i.e., 29.12.1993 and further prayaed that the petitioner may be allowed to continue on the post of Lecturer (Assistant Professor in Physics).

Learned counsel for the respondent has invited my attention towards the judgment dated 18th Sept.,2001 passed in S.B. Civil Writ petitioner No.201/1994-Vishnu Kumar Vs. MDS

University decided by this Court in exactly the similar matter wherein the petitioner was appointed on the post of Lecturer on ad hoc basis and had come before this Court seeking direction to the respondents to consider his candidature for regular appointment on the post of Lecturer (Assistant Professor) in Physics w.e.f. his initial appointment. The Court, however, held that petitioner had no right to claim appointment on the post of Lecturer on the ad hoc basis, particularly, when he was screened by the selection committee and has not been adjudged suitable. Learned counsel for the respondent Shri Jagdish Vyas submitted that in the present case, the petitioner has also appeared before the selection committee and was found not suitable. He also invited my attention towards the subsequent judgment passed by this Court in S.B.Civil Writ Petition No.200/1995 -Kailash Chandra Gupta Vs. MDS University & Anr., decided on 8.11.2005, wherein this court while affirming the view taken in the case of Vishnu Kumar (supra) dismissed the writ petition.

In view of the above, the writ petition of the petitioner is also dismissed.

(MOHAMMAD RAFIQ), J.

c.p.goyal/-